

Amendments to the Claims:

The following listing of claims will replace all prior versions, and listings, of claims in the application:

1. (Currently Amended) A needleless syringe for injecting an active principle, comprising:

an injector including at least one injection nozzle, said injector being placed at ~~the downstream~~ a distal end of the needleless syringe; and

a wall that can be displaced under the effect of a propulsive system pressurizing and expelling the active principle through the injector, wherein:

the active principle is initially placed between the injector and the wall, and

the injector includes an assembly of at least two elements; each of said elements having a downstream face, an upstream face and a lateral surface joining said elements together, the lateral surfaces of said elements in the assembly being ~~wholly or at~~ least partly in contact with each other to define contacting surfaces; at least one of the lateral surfaces having at least one groove which constitutes the injection nozzle in the assembly of said elements; and the injection nozzle being located between the lateral surfaces.

2. (Previously Presented) The needleless syringe according to claim 1, wherein the contacting surfaces are non-planar surfaces.

3. (Previously Presented) The needleless syringe according to claim 1, wherein the contacting surfaces are planar surfaces.

4. (Previously Presented) The needleless syringe according to claim 1, wherein the groove is straight.

5. (Currently Amended) The ~~needleless~~ needleless syringe according to claim 1, wherein the groove is helical.

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6. (Currently Amended) The ~~needleless-needleless~~ syringe as claimed in claim 1, wherein the groove is formed by the convergence of at least two grooves beginning from the upstream face and ending in a single groove towards the downstream face of the element.

7. (Currently Amended) The ~~needleless-needleless~~ syringe according to claim 4, wherein the groove has a constant cross section.

8. (Currently Amended) The ~~needleless-needleless~~ syringe according to claim 4, wherein the groove has an evolving cross section.

9. (Currently Amended) The ~~needleless-needleless~~ syringe according to claim 1, wherein said elements ~~include~~ comprise a support and a one-piece ~~core~~ core, the one-piece core being fitted into the support.

10. (Currently Amended) The ~~needleless-needleless~~ syringe according to claim 1, wherein said elements ~~include~~ comprise a support and at least one ~~core~~ core, the at least one core having at least two quarters-parts, each of the at least two parts having a flat face and being assembled via their-the flat faces to form the at least one core with the nozzle of evolving cross section, the quarters-parts of the cores-at least one core being fitted into the support.

11. (Currently Amended) The ~~needleless-needleless~~ syringe according to claim 1, wherein said elements ~~include~~ comprise a support and at least two cores, each ~~core-of the at least two cores~~ comprising at least two quarters-parts, each of the at least two parts having a flat face, the flat faces being assembled to form each of core-the at least two cores with the nozzle with-having an evolving cross section, and the quarters-each-core-parts of the at least two cores being held together by overmolding.

12. (Canceled)

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REMARKS

By this Amendment, claims 1 and 5-11 are amended, and claim 12 is canceled. No new matter is added. Accordingly, claims 1-11 are pending in this application.

Reconsideration of the application is respectfully requested

Applicants gratefully acknowledge that the Office Action indicates that claims 1-11 include allowable subject matter.

Entry of the amendments is proper under 37 CFR §1.116 since the amendments: (a) place the application in condition for allowance for the reasons discussed herein; (b) do not raise any new issue requiring further search and/or consideration since the amendments amplify issues previously discussed throughout prosecution; (c) satisfy a requirement of form asserted in the previous Office Action; (d) do not present any additional claims without canceling a corresponding number of finally rejected claims; and (e) place the application in better form for appeal, should an appeal be necessary. The amendments are necessary and were not earlier presented because they are made in response to arguments raised in the final rejection. Entry of the amendments is thus respectfully requested.

I. Claim for Priority

The March 19, 2004 Office Action indicated that it is unclear whether or not Applicants intend to claim foreign priority since the Oath/Declaration does not specifically claim the foreign priority of the French patent.

As indicated in the June 21, 2004 Amendment, Applicants affirmed the claim for foreign priority based on French Patent Application No. 99 09252 filed July 16, 1999. A claim for foreign priority based on FR 99 09252 is set forth in the December 18, 2001 Application Data Sheet, as required by 37 C.F.R. §1.63.

Applicants respectfully request the Examiner to acknowledge Applicants' claim for foreign priority under 35 U.S.C. §119, as previously requested in the June 21, 2004 Amendment.

II. Claim Objections

The Office Action objects to claims 1 and 5-11 because of informalities. Claims 1 and 5-11 are amended to correct informalities and incorporate some of the recommendations set forth in the Office Action. However, the recommendations not taken are considered to be unnecessary since they do not correct any "informality" but merely reflect a preference by the Examiner. Applicants respectfully submit that no further correction of the claims should be required. Accordingly, withdrawal of the objections is respectfully requested.

III. Rejection Under 35 U.S.C. §112, Second Paragraph

The Office Action rejects claims 1-11 under 35 U.S.C. §112, second paragraph, as indefinite. Specifically, the Office Action asserts that certain features of claims 1 and 9-11 are unclear. Claims 1 and 10 are amended only for the sake of clarity in view of the Office Action. Thus, the claims are not narrowed by such amendments.

Regarding claims 9 and 11, the Office Action asserts that it is unclear what "the elements" are if the elements further include a support. Specifically, the Office Action asserts that there is "only support for the elements to only be a support and a one piece core" because there are no additional elements disclosed in the specification. Therefore, the Examiner recommends that Applicants amend the claims to recite that the "element are a support and a one-piece core." Applicants disagree with the assertions and recommendations regarding claims 9 and 11.

Contrary to the Office Action's assertions, the specification and drawings teach that elements of an injector may include features other than a support and at least one core. For example, Figs. 1 and 2 show that a cylindrical support 4 has grooves 41 formed on an external

lateral surface 40 thereof. See page 15, line 12-22. In the assembly of the cylindrical support 4 within a downstream end 2 of a body of the syringe 100, the external lateral surface 40 contacts an internal surface of the body of the syringe 100 such that the grooves 41 constitute injection nozzles 101. See at least original Abstract and original claim 1. Therefore, the elements forming an injector may also include the internal surface of the body of the syringe 100.

Further, the Office Action improperly attempts to require that the claims be restricted to the disclosed embodiments. The terms "comprises" and "comprising" are open-ended terms that do not exclude additional, unrecited elements, and thus do not render the claims indefinite. Applicants are entitled to the broadest claims that are not anticipated nor rendered obvious by the prior art. Further, a claim is not indefinite merely because it may cover embodiments in addition to those disclosed in the specification and drawings of the application. See MPEP §2111.03.

It is respectfully submitted that the recited features of claims 1 and 9-11 are amply supported by the figures and the specification. Thus, the recited features of claims 1 and 9-11 are not indefinite. Claims 2-8 are rejected solely for their dependency on claim 1, and thus are also not indefinite. Accordingly, reconsideration and withdrawal of the rejections are respectfully requested.

IV. Rejection Under 35 U.S.C. §102(b)

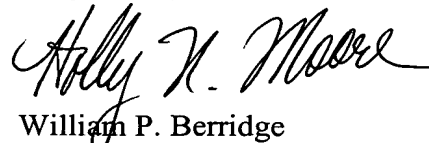
The Office Action rejects claim 12 under 35 U.S.C. §102(b) over U.S. Patent No. 5,938,639 to Reilly et al. ("Reilly"). This rejection is moot in light of the cancellation of claim 12. Accordingly, withdrawal of the rejection is respectfully requested.

V. Conclusion

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 1-11 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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